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*Attorneys for Defendant
C. R. Bard, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC
Litigation

**DEFENDANT C. R. BARD, INC.'S
ANSWER AND GENERAL DENIAL
WITH RESPECT TO CASE NO.
CV-17-01101-PHX-DGC; JURY TRIAL
DEMAND**

Defendant C. R. Bard, Inc. ("Bard" or "Defendant") hereby files this Answer and General Denial with Respect to *Sharon McWhorter v. C. R. Bard, Inc.*, AZ Member Case No. CV-17-01101-PHX-DGC ("Answer and General Denial"), served according to the provisions and requirements of Amended Case Management Order No. 4 (Doc. 1108). Defendant further reserves the right to file any motion to dismiss for failure to state a claim with respect to this case, as set forth in Amended Case Management Order No. 4.

1 With respect to the allegations Plaintiff raises in *Sharon McWhorter v. C. R. Bard,*
 2 *Inc.*, AZ Member Case No. CV-17-01101-PHX-DGC, Defendant denies, generally and
 3 specifically, each and every allegation in Plaintiff's Complaint, the whole thereof, and each
 4 and every cause of action therein. Defendant further denies that the Plaintiff has sustained, or
 5 is entitled to recover, damages in any amount alleged or in any sum whatsoever. Defendant
 6 further denies that it is liable to the Plaintiff in any amount, and further denies that the
 7 Plaintiff has sustained injury, damage, or loss by reason of any act or omission by Defendant.

8 As for additional defenses, and without assuming any burden of pleading or proof that
 9 would otherwise rest on Plaintiff, Defendant incorporates by reference the responses and
 10 Affirmative Defenses set forth in Defendants' Answer to Plaintiffs' Master Complaint filed in
 11 MDL 2641 on December 17, 2015 (Doc. 366). Defendant further reserves the right to raise
 12 such other affirmative defenses as may be available or apparent during discovery or as may
 13 be raised or asserted by other defendants in this case. Defendant has not knowingly or
 14 intentionally waived any applicable affirmative defense. If it appears that any affirmative
 15 defense is or may be applicable after Defendant has had the opportunity to conduct
 16 reasonable discovery in this matter, Defendant will assert such affirmative defense in
 17 accordance with the Federal Rules of Civil Procedure.

18 **REQUEST FOR JURY TRIAL**

19 Defendant C. R. Bard, Inc. demands a trial by jury on all issues appropriate for jury
 20 determination.

21 **WHEREFORE**, Defendant avers that the Plaintiff is not entitled to the relief
 22 demanded in the Plaintiff's Complaint, and this Defendant, having fully answered, prays that
 23 this action against it be dismissed and that it be awarded its costs in defending this action and
 24 that it be granted such other and further relief as the Court deems just and appropriate.

1 This 14th day of April, 2017.

2 s/Richard B. North, Jr.
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21 **Attorneys for Defendant C. R. Bard, Inc.**
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 14, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.
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